

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

ROY TAYLOR,

PLAINTIFF

-AGAINST-

NYCDOC ;ET AL

DEFENDANTS

★ JAN 16 2018 ★

BROOKLYN OFFICE

14CV-4708 (ENV) (ST)

**MOTION IN OPPOSITION TO DEFENDANTS MOTION FOR SUMMARY JUDGEMENT**

PLAINTIFF HEREBY MOVES PRO'SE IN OPPOSITION TO DEFENDANTS SUMMARY JUDGEMENT  
MOTION FOR THE REASONS THAT FOLLOWS;

1. CONTRARY TO DEFENDANTS DEFENSE DOC INVOLVE<sup>D</sup> IN THE GRIEVANCE PROCESS HAS FAILED TO MAKE AVAILABLE THE COMPLETE GRIEVANCE PROCESS. THIS IS EVIDENT BY THE VERY PAPERS THE HAVE <sup>BEEN</sup> SUBMITTED TO THE COURT AND ME (SEE EXHIBITS B 012 TO THE END OF SAID EXHIBITS USED IN THEIR COMPLAINT.)
2. THESE SAME EXHIBITS WERE LEFT INCOMPLETE AND UNSIGNED BY GRIEVANCE REP & UNIFORMED STAFF REP SIGNATURES THEREBY BEING INCOMPLETE. IN ADDITION, THEY USED S CANDY AS THE ONLY PERSON TO SIGN DOCUMENTS AS IF SUGGESTING THESE DOCUMENTS TO BE "DOCTORED" IN THESE EXHIBITS. MOREOVER, THE GRIEVANCE POLICY IT'S SELF DEEM ALL GRIEVANCES NON GRIEVABLE WHEN AN INMATE CONTACTS AN OUTSIDE AGENCY OR WHEN THE RESOLUTION ASK FOR IS DISCIPLINE STAFF WHICH ON MANY OF PLAINTIFF GRIEVANCES INDISCATED THIS. (PLEASE REVIEW THIS )
3. IN ADDITION, DEFENDANTS BRINGS IN SOME EMPLOYEE WHO ALLEDGELY KNOWS THE GRIEVANCE PROCESS, BUT ASK HER WHAT HAPPENS WHEN THE ABOVE OCCURRS !" (EMPHASIS ADDED) PLAINTIFF ASK SINCE THIS EMPLOYEE WAS NEVER REVEALED DURING DISCOVERY AND BECAUSE THE PERSON WASN'T, I SHOULD THUS BE ALLOWED TO ATLEAST SUBMIT INTERROGATORIES TO THIS PERSON WHO SO FREELY IS STEPPING UP TO THE PLATE TO DEFEND THE DEFENDANTS. BY COURT ORDER I ASK THE COURT TO BE ALLOWED TO DO THIS, IF THE COURT WILL.

4. **MEMORANDUM OF LAW**

5. TO WITHSTAND SUMMARY JUDMENT OR MOTION TO DISMISS A 1983 COMPLAINT THE COMPLAINT MUST SET FORTH SPECIFIC FACTUAL ALLEGATIONS INDICATING A DEPRIVATION OF CONSTITUTIONAL RIGHTS. SHABAZZ 1998 WL 901737 AND ALFARO MOTORS, INC V. WARD 814 F. 2D 887 (2<sup>ND</sup> CIR 1987),
6. COURTS HAVE RULED PRO'SE COMPLAINTS ARE CONSTRUED LIBERALLY & MUST BE INTERPRETED TO RAISE THE STRONGEST ARGUMENT THAT 'S SUGGESTED IN PLEADING. SEE GRAHAM V. HENDERSON,
7. PLAINTIFF MUST SHOW DEFENDANTS ACTED UNDER COLOR OF LAW WHICH THEY DID HERE VIOLATING MY RIGHTS AND DEPRIVED ME OF A CONSTITUTIONAL RIGHT WHICH WAS DONE HERE. SHABAZZ V. VACCO NO. 97CIV 3761 AND PITCHELL V. CALLAN, 13 f. 3D 545 (2D CIR 1994) .

8. UNDER SNIDER VERSIS MELINDEZ, 199 f 3D 114, COURTS MAY NOT DISMISS A CLAIM FOR FAILURE TO EXHAUST IF IT WASN'T AVAILABLE. IN THIS CASE, DEFENDANTS LEFT DOCUMENTS UN ENDORSED AND INCOMPLETE, AND IT SHOULD BE DEEM NON GRIEVABLE BASED ON THE ABOVE MENTIONED. (REQUESTNG DISCIPLINE & CONTACTING OUTSIDE AGENCIES)
9. PLAINTIFF ARGUES HIS CLAIMS WERE "COLORABLE CLAIMS" WARRANTING IT TO BE HEARD ON THE STRENGTH OF WHAT HE HAS PRESENTED AND ALL THE ABOVE.
10. DEFENDANTS AT EMTC AND OBCC ALL FAILED TO RESPOND MAKING PLAINTIFF ULTIMATELY HAVING TO SUBMIT HIS GRIEVANCES TO CENTRAL OFFICE FOR REVIEW AND EVEN THEN THEY FAILED TO HEAR ALL GRIEVANCES SO THERE'S VERTUALLY NO "ACCOUNTABILITY" TO THEIR ACTIONS AND THUS IS WHY I MOVE FOR RECOURSE TO THIS COURT.
11. WHEREFORE; PLAINTIFF PRAYS THE COURT DENY THE DEFENDANTS SUMMARY JUDGEMENT MOTION AND GRANT INTERROGATORIES TO THIS PERSON WHO FILED AFFIDAVIT IN DEFENDANTS DEFENSE AND LET THIS ACTION PROCEED ON AND FOR SUCH FURTHER RELIEF AS THE COURT DEEMS JUST AND PROPER AND GRANT PLAINTIFF'S RELIEF.
12. RESPECTFULLY,
13. Roy Taylor
14. ROY TAYLOR
15. 71 EAST 95<sup>TH</sup> STREET #A7
16. BROOKLYN, NY 11212

CERTIFICATE OF SERVICE

ROY TAYLOR PROSE HAVE MAILED THE FOREGOING TO ASST CORPORATION COUNSEL ANTHA JACOBS AND TO THE USDC EAST DIST PROSE OFFICE IN BROOKLYN, NY ON 11-16-2017

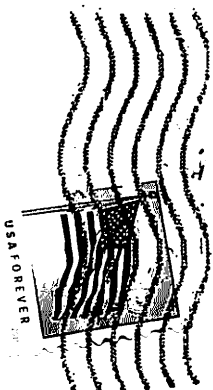
Roy Taylor

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11201-183299

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